

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of)
VAUDRY et al.)
Serial No.: 09/889,509)
Filed: 19 September 2001) P07302US00/BAS
For: METHOD FOR IDENTIFYING THE)
LIGANDS OF A RECEPTOR)
CAPABLE OF BEING INTERNALIZED)

RECONSIDERATION OF HOLDING OF ABANDONMENT
UNDER MPEP §711.03 - NO ABANDMENT IN FACT

Commissioner for Patents
Washington, D. C.

SIR:

A Notice of Abandonment for the above-identified application was mailed on June 10, 2002 which indicated that this application was abandoned by failure to respond to the Notification of Missing Requirements mailed August 31, 2001. However, a response to the Notification of Missing Requirements was timely filed on September 19, 2001. Therefore, there was no abandonment in fact and the Notice of Abandonment was evidently mailed in error.

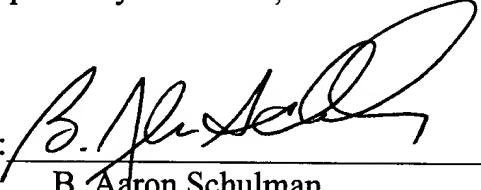
Enclosed herewith is a copy of the response timely filed on September 19, 2001, together with a copy of the stamped receipt for this response showing timely filing.

In view of the fact that there was no abandonment in fact, reconsideration of the

holding of abandonment pursuant to MPEP §711.03 is requested. If any other action is required by Applicant to effect further prosecution, please contact the undersigned as soon as possible.

Respectfully submitted,

By:


B. Aaron Schulman
Registration No. 31,877

Date: 19 June 2002

LARSON & TAYLOR PLC
Transpotomac Plaza
1199 North Fairfax Street, Suite 900
Alexandria, Virginia 22314
(703) 739-4900



PTO STAMPED RECEIPT

for

In re patent application of: VAUDRY et al.

Patent

Serial No.: 09/889,509

Examiner:

Filed: 18 July 2001

Art Unit:

For: IDENTIFICATION OF LIGANDS FOR A RECEPTOR Docket No.: P07302US00/BAS
CAPABLE OF INTERNALIZED...

PAPERS SUBMITTED

<p><input checked="" type="checkbox"/> Transmittal Letter</p> <p><input checked="" type="checkbox"/> Amendment/Response</p> <p><input checked="" type="checkbox"/> Amendment/Response After Final</p> <p><input checked="" type="checkbox"/> Notice of Appeal</p> <p><input checked="" type="checkbox"/> Appeal Brief (in triplicate)</p> <p><input checked="" type="checkbox"/> Petition for Extension of Time</p> <p><input checked="" type="checkbox"/> Issue Fee</p> <p><input checked="" type="checkbox"/> Form (Missing Parts)</p> <p><input checked="" type="checkbox"/> Declaration</p> <p><input checked="" type="checkbox"/> Small Entity Statement</p> <p><input checked="" type="checkbox"/> Assignment</p> <p><input checked="" type="checkbox"/> Fee: \$170.00</p> <p>Other: _____</p>	<p>IDS: Including</p> <p>..... List of References</p> <p>..... Search Report</p> <p>..... Statement of Relevance</p> <p>..... Refs. Transmitted</p> <p>..... Translation of Application</p> <p>..... Priority Document</p> <p>..... Letter to Draftsman</p> <p>..... _ sheets of formal drawings (figs.)</p> <p>..... PCT Demand Chapter II</p> <p>.....</p>
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PTO Receipt Stamp →



**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO.

(If known. see 37CFR 1.5)

09/889,509

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/FR00/00113	19 January 2000	20 January 1999

TITLE OF INVENTION: IDENTIFICATION OF LIGANDS FOR A RECEPTOR CAPABLE OF INTERNALIZING

APPLICANT(S) FOR DO/EO/US: VAUDRY

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Art. 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A **copy** of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A **translation** of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Apnl. under PCT Article 19 (35 USC 371 (c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments had NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An **oath** or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the Int'l Prelim. Exam. Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

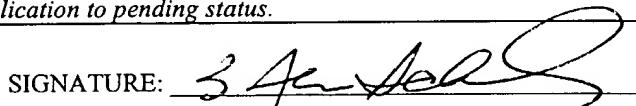
Items 11 to 20 below concern document(s) or information included:

11. An **Information Disclosure Statement** under 37 C.F.R. 1.97 and 1.98.
12. An **Assignment** document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **First preliminary amendment**.
14. A Second or Subsequent preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 & 35 USC 1.821-825.
18. A second copy of the published international application under 35 USC 154(d)(4).
19. A second copy of the English translation of the international application under 35 USC 154(d)(4).
20. Other items or information:

A copy of the Notification of Missing Requirements under 35 U.S.C. 371.

In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 17(c).

Date: 19 September 2001

U.S. APPLICATION NO. (<i>If known</i>) 09/889,509		INTERNATIONAL APPLICATION NO. PCT/FR00/00113	ATTORNEY DOCKET NO. P07302US00/BAS										
X 21. The following fees are submitted:			CALCULATIONS PTO USE ONLY										
Basic National Fee (37 CFR 1.492 (a) (1)-(5):													
<table> <tr> <td>Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO</td> <td>\$ 1000</td> </tr> <tr> <td>Search Report has been prepared by the EPO or JPO</td> <td>\$ 860</td> </tr> <tr> <td>No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO</td> <td>\$ 710</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO</td> <td>\$ 690</td> </tr> <tr> <td>Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4)</td> <td>\$ 100</td> </tr> </table>			Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO	\$ 1000	Search Report has been prepared by the EPO or JPO	\$ 860	No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO	\$ 710	International preliminary examination fee paid to USPTO	\$ 690	Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4)	\$ 100	
Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO	\$ 1000												
Search Report has been prepared by the EPO or JPO	\$ 860												
No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO	\$ 710												
International preliminary examination fee paid to USPTO	\$ 690												
Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4)	\$ 100												
ENTER APPROPRIATE BASIC FEE AMOUNT =			\$										
<input checked="" type="checkbox"/> Surcharge of \$130 for furnishing the oath or declaration later than _____ from the earliest claimed priority date (37 CFR 1.492(e)). [] 20 mos. _____ [] 30 mos. +			\$ 130.00										
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE										
Total Claims	- 20 =		X \$18 =										
Independent Claims	- 03 =		X \$80 =										
Multiple Dependent Claim(s) (if applicable)			+ \$270 =										
TOTAL OF ABOVE CALCULATIONS =			\$ 130.00										
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated _____ above are reduced by ½.			\$										
SUBTOTAL =			\$ 130.00										
Processing fee of \$130 for furnishing the English translation later than _____ from the earliest claimed priority date (37 CFR 1.492(f)). [] 20 mos. _____ [] 30 mos. +			\$										
TOTAL NATIONAL FEE =			\$ 130.00										
<input checked="" type="checkbox"/> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be _____ accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property			+ \$ 40.00										
TOTAL FEES ENCLOSED =			\$ 170.00										
			Amount to be										
			Refunded \$										
			Charged \$										
X a. A check in the amount of \$170.00 to cover the above fees is enclosed. b. Please charge my Deposit Account No. 12-0555 in the amount of \$ to cover the above fees. c. The Commissioner is hereby authorized to charge any additional fees required or credit overpayment to Deposit Account No. 12-0555.													
<i>Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</i>													
SEND ALL CORRESPONDENCE TO:		SIGNATURE:  NAME: B. Aaron Schulman REG. NO.: 31,877 PHONE NO.: 703-739-4900 Date: 19 September 2001											
At the address (below) of CUSTOMER NO. 000881. LARSON & TAYLOR, PLC 1199 NORTH FAIRFAX ST. SUITE 900 ALEXANDRIA, VA 22314													



UNITED STATES P. AND TRADEM

OFFICE

09/889599

Commissioner for
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

PCT/US00/00113

INTERNATIONAL APPLICATION NO.

SIN 21

PCT/FR00/00113

I.A. FILING DATE

PRIORITY DATE

01/19/00

01/20/00

DATE MAILED:

08/31/01

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) an Elected Office (37 CFR 1.495):

U.S. Basic National Fee. Indication of Small Entity Status.
 Copy of the International application. Translation of the international application into English.
 Oath or Declaration of Inventor(s). Translation of Article 19 amendments into English.
 Copy of Article 19 amendments. Other:
 Priority Document.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee. Copy of the international application.

3. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917

Notice of Defective Translation

PTO-875

PCT/DO/EO/920

FORM PCT/DO/EO/905 (March 2001)

Telephone:

Karen S. Johnson

National Stage Processor

(703) 305-3695